

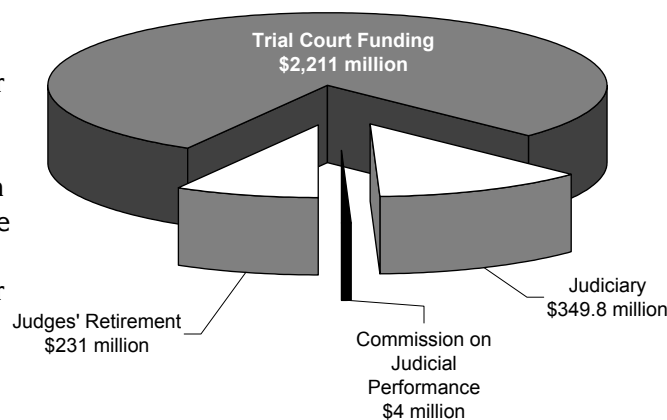
# Judicial Branch

The State Constitution vests California's judicial authority in a tripartite court system composed of the Supreme Court, the Courts of Appeal, and the trial courts. The Administrative Office of the Courts (AOC) provides support to the Supreme Court, the Courts of Appeal, the trial courts, and the Judicial Council. The Commission on Judicial Performance administers judicial discipline.

For 2002-03, the Governor's Budget proposes approximately \$2.8 billion for the Judicial Branch, in combined General Fund, special funds, federal funds, and reimbursements: \$349.8 million (\$294.6 million General Fund) for the Judiciary; \$4 million General Fund for the Commission on Judicial Performance; \$2.2 billion (\$1.2 billion General Fund) for the trial courts; and \$231.4 million (\$116.7 million General Fund) for judges' retirement costs (see Figure JB-1).

Figure JB-1

## Total Judicial Branch Expenditures 2002-03



## Judicial

The 2002-03 Judicial budget (Supreme Court, Courts of Appeal, AOC, and the Habeas Corpus Resource Center) totals \$349.8 million, which includes \$289.2 million in State operations and \$60.6 million in local assistance. This amount reflects an increase in expenditures of \$2.8 million over the revised 2001-02 Budget, and includes the following augmentations:

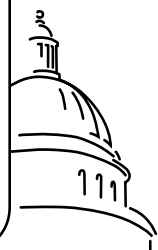
- ❖ \$211,000 to provide two human resource positions to provide expertise in labor relations at the AOC.

- ❖ \$286,000 to provide two attorney positions at the AOC regional offices.
- ❖ \$122,000 to provide additional security for the Courts of Appeal.

Due to current economic conditions and the decrease in General Fund revenues, the Judicial Branch has identified the following savings and reductions:

- ❖ A one-time General Fund savings totaling \$7.7 million in 2001-02, including \$4.6 million associated

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with current vacancies, \$1.5 million related to Supreme Court, Court Appointed Counsel workload, and \$1.6 million related to Courts of Appeal, Court Appointed Counsel workload.

- ❖ A General Fund reduction of \$3.9 million in fiscal year 2002-03, including \$2.9 million associated with anticipated vacancies and \$1 million related to Supreme Court, Court Appointed Counsel workload.

### **Trial Court Funding**

The Trial Court Funding budget includes \$1.2 billion General Fund and approximately \$1 billion in non-General Fund resources, for a total of \$2.2 billion. This represents a decrease of \$21.3 million from the revised 2001-02 Budget. The following is included:

- ❖ Consistent with the intent of the Legislature, as specified in Budget Act language, \$23.2 million in fiscal year 2001-02 and \$51.7 million in fiscal year 2002-03 to meet various needs of the trial courts, including salary increases resulting from local memoranda of understanding with recognized bargaining agents. Under the Trial Court Employment Protection and Governance Act (Chapter 1010, Statutes of 2000), trial court employees are employees of each individual court with the right to unionize and negotiate salaries with their individual court. During 2002-03, approximately

71 bargaining agreements will be subject to negotiation in the trial courts.

- ❖ \$14.4 million to fund increased costs associated with services and benefits provided to the trial courts and trial court employees through the counties, such as mail and janitorial services, health benefit increases, and retirement rate increases.
- ❖ \$13.4 million to address increased costs associated with providing security at trial court facilities.
- ❖ \$2.3 million to address increased costs associated with providing court interpreters to assist non-English speaking defendants in trial court proceedings.
- ❖ \$802,000 for Family and Children services, including case processing and mediators, investigators, and evaluators in a variety of courts.

Due to current economic conditions and the decrease in General Fund revenues, the Judicial Council has identified the following savings, reductions, and transfer of resources from the Trial Court Funding budget:

- ❖ One-time General Fund savings totaling \$28.3 million in 2001-02, including \$7.3 million associated with delayed implementation of new jury reform programs, \$8.5 million related to judicial vacancies at the trial courts, and \$12.5 million as a result of funding costs for



technology asset management and security from the Trial Court Improvement Fund rather than the General Fund.

- ❖ A General Fund reduction in fiscal year 2002-03 of \$37.8 million, including \$7.2 million associated with delayed implementation of new jury reform programs, \$7.4 million as a result of funding one-time costs for technology asset management from the Trial Court Improvement Fund rather than the General Fund, and \$23.2 million from reducing the operating budget for each trial court by varying amounts. The Judicial Council intends to achieve these reductions in a way that will have the least impact on each court and the public.
- ❖ A transfer of \$28.1 million from the Trial Court Improvement Fund to the General Fund on a one-time basis.

Overall, the Judicial Branch will achieve a total of \$106 million in General Fund savings, reductions, and a one-time transfer of resources. Despite the reductions reflected in this Budget, Judicial Branch expenditures have increased by \$649 million over the course of this Administration.

## Criminal Fines and Civil Filing Fees

Currently, criminal fines result in approximately \$229 million in annual revenue to local jurisdictions. In addition, for each criminal fine imposed, a penalty assessment equaling the amount of the fine is also imposed. Of these penalty assessments, 30 percent is retained by counties to support trial courts, and 70 percent goes to the State Penalty Fund, from which funding is distributed to a variety of State special funds that support a variety of programs and activities. Approximately \$14 million of this revenue is returned to the General Fund.

The Administration is proposing legislation to add a surcharge of 20 percent on all criminal fines, with the proceeds going to the General Fund. It is anticipated that this surcharge would increase General Fund revenue by \$45.8 million. This change will not affect the current collection and distribution of fines or penalty assessments.

In addition, civil filing fees result in approximately \$152 million in annual revenue to the Trial Court Trust Fund, which is used to support trial court operations.

The Administration is proposing legislation to add a surcharge of 10 percent on civil filing fees, with the proceeds going to the General Fund. It is anticipated that this surcharge will increase General Fund revenue by approximately \$15 million annually.

